

POSITION VACANCIES AND TRANSFERS

FC No.: 325

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I. Policy

The policy of the department is to fill vacant positions by promotion and/or transfer. Competitive transfers will generally be utilized to fill specialized units. However, the Chief of Police reserves the right to transfer, permanently or temporarily, any employee. For FOP bargaining unit employees, transfers shall be made pursuant to Article 25 of the collective bargaining agreement. Positions filled by competitive transfer will be announced and advertised according to the provisions outlined in this directive. Positions will be filled at the authorized rank and any deviation from this procedure will require approval by the Chief of Police. Disciplinary transfers, to the extent permitted by any collective bargaining agreement or law, shall be made pursuant to the collective bargaining agreement or law. Transfers shall be made in accordance with the procedures outlined in the Montgomery County Personnel Regulations for Merit System Employees and any collective bargaining agreements. (CALEA 16.2.2)

II. Competitive Position Vacancy Announcement Procedure (CALEA 16.2.2)

The following procedure will apply for requests to fill any position vacancies within the department by competitive transfer.

1. The officer in charge of the division, section, unit, or office who has or anticipates a vacancy due to retirement, resignation, transfer, or promotion, will submit a request for replacement, including a selection criteria process, to the officer's bureau chief for approval.
2. The bureau chief will review the request for replacement and, if approved, will complete a Personnel Action Request Form to submit along with the request for the Personnel Division to prepare a position vacancy announcement for the Chief's signature. Approved requests received in the Personnel Division by the close of business Wednesday will be distributed the following Wednesday and announced on the weekly vacancy recording. The closing date will be 10 consecutive days after the announcement date (the second Friday after the announcement date or the following Monday if Friday is a county holiday).
3. The Personnel Division will be responsible for distributing the announcement department wide. In addition to written vacancy announcements, the Personnel Division will prepare a 24-hour recorded vacancy announcement to coincide with new announcements.

III. Responsibilities of Applicants for Position Vacancy

- A. Applicants will hand deliver the application for the advertised vacant position directly to the Personnel Division, Room 203, Headquarters. The application will not be submitted through the chain of command. The applicant may

designate another person to deliver the application to the Personnel Division. It is the responsibility of the applicant to ensure that applications are received in the Personnel Division by the closing deadline. Late applications will not be accepted.

B. Prospective applicants may call **(240) 773-5300**, program #5, for weekly vacancy listings. The application will include the announcement identification number and the title of the position sought. No endorsements will accompany the application; endorsements will be requested by the recommendations committee, if deemed necessary.

C. Applicants will comply with the guidelines listed in the announcements including the suspense date, minimum qualifications for position announced, and any special requirements indicated.

IV. Responsibilities of the Personnel Division

A. Maintain a departmental personnel allocation chart which indicates the filled and vacant positions of authorized sworn and non-sworn personnel by assignment and classification. (CALEA 16.1.1)

B. Make available to all employees a listing of the minimum qualifications for each specialized unit position. Position listing availability will be subject to the completion of a job analysis for each position.

C. Verify the authorized position vacancy and identify the department position number. Prepare the position vacancy announcement which shall include the minimum qualifications, skills, and abilities which are either required or preferred for the position. These qualifications will be updated commensurate with the completion of a job analysis for the respective position. Deliver the announcement to the Chief of Police for signature. Once the announcement is signed, distribute the announcement department-wide.

D. Personnel Division staff will time stamp the application and provide a written receipt to the person delivering the application.

E. Review all applications to ensure each candidate meets the minimum requirements and has applied before the deadline.

1. Notify any applicant who does not meet the minimum qualifications.
2. Return all applications received after the suspense date.
3. Oversee the selection process and represent the department in any grievance proceedings instituted as a result of personnel transfer/vacancy announcements.

F. Maintain a file for each position vacancy announcement.

G. Forward the final selection to the Chief of Police for his signature.

H. Ensure the final selection is announced via Personnel Order.

I. Prepare Personnel Action Form (PAF) with effective date reflecting the beginning of a pay period.

J. Subsequent selections may be made from a position vacancy candidate list if the original position announcement includes a notice to employees that it may be utilized to fill subsequent vacancies occurring within 60 days of the original position vacancy announcement closing date. If the original position vacancy announcement does not contain the notice or a vacancy occurs beyond the 60 day period, a new application must be submitted for a subsequent position vacancy.

V. Responsibilities of the Recommendations Committee

A. The appropriate bureau chief will designate the members of the recommendations committee which will include at least two supervisory/management level personnel.

B. Prior to participating in a position vacancy selection process, supervisors and managers will familiarize themselves with this directive.

C. The recommendations committee will review each qualified applicant. ***The review process must be duplicated by all of the committee members. File review cannot be delegated to one committee member who then reports back to the other members.*** The committee

will consider criteria specified in the announcement which may include any or all of the following: (CALEA 16.2.2)

1. Review of application.
2. Review of personnel file.
3. Selection interview or oral examination.
4. Written exercise or written examination.
5. Interview of *current* supervisor and/or manager.

Note: The supervisor's comments should be consistent with comments in the current rating.

- D. The recommendations committee will identify three qualified applicants who best meet the needs of the unit and submit the committee recommendations, *in order of preference*, to the bureau chief. The bureau chief will review the recommendations of the committee and select an applicant for the position. The name of the applicant will be submitted to the Chief of Police, via the *bureau chief*, along with appropriate justification, for signature. *Upon final decision by the Chief of Police, the name of the selected applicant will be forwarded to the Director, Personnel Division, for action.*
- E. The selected applicant will normally be notified within five working days following the selection process. The applicant's supervisor will be notified of the transfer date which must be at the beginning of a pay period and with a minimum of one week's notice.
- F. The applicant assessment and selection process under the position vacancy announcement procedure is strictly confidential. Disclosure of information regarding this process is on a need-to-know basis.
- G. The chairman of the recommendations committee will maintain a file with justification supporting the recommendations.
- H. Upon completion of the selection process, the recommendations committee will forward a memorandum to each applicant, within a reasonable time period, advising them of the results of the process.

VI. Transfer Requests

- A. Employees of this department may request in writing a transfer to another unit or duty assignment.

- B. The request will be made through the chain of command to the Chief of Police.
- C. The requesting employee will specify the reasons for the request for transfer.
- D. The Chief of Police reserves the right to transfer permanently and/or temporarily any employee. For FOP bargaining unit employees, transfers shall be made pursuant to Article 25 of the collective bargaining agreement.
- E. The Chief of Police will forward all transfer requests to the appropriate bureau chief; a copy will be sent to the Personnel Division where a file of transfer requests will be maintained for career development tracking purposes.
- F. *Employees may rescind requests for transfer on or before the date by which applications for the vacated (or soon to be vacated) position must be submitted.*
- G. Employees wishing to rescind their request for transfer will do so in writing through the chain of command to the Chief of Police.
- H. The Chief of Police will forward all requests for rescinding transfers to the appropriate bureau chief. A copy will be sent to the Personnel Division; the original request for transfer will then be returned to the employee.
- I. All transfers will be made in accordance with procedures outlined within this directive, the Montgomery County Personnel Regulations for Merit System Employees, and any collective bargaining agreements.

VII. Temporary Transfers (CALEA 16.2.3)

- A. Temporary transfers afford the employee the opportunity for individual career growth through exposure to specialized job assignments and should result in improved work performance and increased job satisfaction.
- B. *Supervisors will provide counseling to employees who are in a unit on a temporary assignment. Such counseling should be documented, the employee should be given an opportunity to comment, and the documentation will be forwarded to the supervisor for insertion into the employee's supervisor's file.*

- C. Temporary transfers are authorized and may be approved at the bureau level for a period of 90 days or less.
1. Employees requesting a temporary transfer of 90 days or less will do so in writing through the chain of command to the commander of the unit requested.
 2. The commander receiving the request will determine the appropriateness of the request and make a recommendation to the affected bureau chief(s).
 3. The bureau chief(s) will thereafter approve or deny the request.
 4. The employee will be notified of the decision in writing through the chain of command with appropriate instructions.
 5. A copy of the written notification shall be forwarded to the Personnel **Division** for career development tracking purposes.
- D. Temporary transfers of more than 90 days must be approved by the Chief of Police.
1. Employees requesting temporary transfers of more than 90 days will do so in writing to the Chief of Police through the chain of command.
 2. The Chief of Police may approve or deny the request and give appropriate instructions as necessary.
 3. The Chief of Police will forward all temporary requests for transfer to the Personnel Division where a file will be retained for career development tracking purposes.

VIII. Rotation Policy

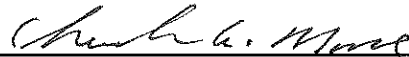
- A. The Chief of Police may establish a rotation policy for any unit or job assignment within the department. Prior to implementing a new rotation policy, the employer shall collectively bargain that portion of the policy which, by law or contract, must be bargained.
- B. When a rotation policy is established, it shall be in writing and outline the policy and procedures for the rotation of employees in and out of the unit or assignment. It will be published under the PPCES plan (see FC 339, "The Police Personnel and Career Enhancement System") and distributed to all holders of the Supervisor's Administrative Manual.
- Upon completion of their rotation assignment in the Drug Enforcement Section, SID, officers

will be transferred to a patrol shift assignment for a period of at least one year before they are eligible to compete for an assignment in a specialized unit.

IX. Proponent Unit: Personnel Division

X. Cancellation

This directive cancels Function Code 325, effective date 07-01-97.



Charles A. Moose, Ph.D.
Chief of Police